

REMARKS

Claims 1-9 are pending in the present application. Claims 7-9 are withdrawn from consideration, and are herein canceled, as is claim 3. Claims 1-2 and 4-6 are herein amended. Claims 10-12 are herein added. No new matter has been entered.

Applicants herein confirm the election of Group I, claims 1-6.

Claim Rejections - 35 U.S.C. §112

Claims 5 and 6 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. It is unclear what is meant by the phrase "according to necessity."

Applicants herein amend the claims to remove the phrase "according to necessity".

Claim Rejections - 35 U.S.C. §102

Claims 1-6 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 11-256389 to Suzuki et al.

The Examiner admits that Suzuki does not mention that the pre-roughened copper foil possesses the claimed Rz values of Claim 1 or the grain structure of Claim 2. However, the Examiner reasons that because the extent of roughening of Applicant's claims is unspecified, there is no necessary resulting surface roughness quality that must be reflected in the roughened product covered by the claims. Thus, the pre-roughening requirements need not to be reflected in the product obtained by the claim product-by-process limitation.

Applicants herein amend claims 1 and 2 to clarify the claimed invention. Thereafter, Applicants respectfully disagree with the rejection because not all of the claimed limitations are met by the cited reference.

With respect to claims 1 and 2, Applicants note that the Rz value of claim 1 and the grain size value of claim 2 are not taught or suggested by Suzuki et al. Moreover, the roughening treatment is now specified as “at least one surface of said untreated copper foil is roughening treated by being formed with a burnt plating layer by burnt plating of copper containing at least one of molybdenum, iron, cobalt, nickel and tungsten.”

Claim 1 is rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application 2004/0043242 to Nakaoka et al. The Examiner asserts that the cited reference teaches roughen treating a very flat copper foil, wherein the copper foil would be expected to obtain the surface roughness properties claimed in Claim 1 prior to the roughening treatment. Being very smooth, there would be expected the pyramids and the surface Rz values meet the claimed limitation.

Applicants herein amend claim 1 to clarify the claimed invention. Thereafter, Applicants respectfully disagree with the rejection because not all of the claimed limitations are met by the cited reference.

In particular, Nakaoka et al. does not disclose the roughening treatment now specified as “at least one surface of said untreated copper foil is roughening treated by being formed with a burnt plating layer by burnt plating of copper containing at least one of molybdenum, iron, cobalt,

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nickel and tungsten.” Because at least this limitation is not met by the cited reference, Applicants submit that the invention is not anticipated by the cited reference.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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